THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 23547 of 1996

DATE: 06-02-2007

Between :

Gudema Mallaiah and 29 others

… Petitioners

And

The Joint Collector, m
Medak District,
Sangareddy and another.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 23547 of 1996

ORDER:

The petitioners, 30 in number, claim to be the residents of Indoor village, Raikode Mandal, Medak District. It is stated that due to construction of Singoor Project, the entire Village had been submerged and consequently, the petitioners had lost their houses and lands. It is also stated that though the respondents published a notification under Section 4 (1) of the Land Acquisition Act, 1894, and passed an award pursuant to which the compensation was also paid to the petitioners, no rehabilitation was provided to the displaced families. It is contended that as per G.O.Ms.No.59 dated 19-03-1980, the petitioners are entitled for payment of ex-gratia cash grants in lieu of rehabilitation. Hence, this writ petition seeking a *Mandamus* directing the respondents to pay the ex-gratia cash grants in lieu of rehabilitation in terms of G.O.Ms.No.59 dated 19-03-1980.

In response to the Rule Nisi ordered, the rehabilitation Officer, Singoor Project, Sangareddy, Medak District, filed a detailed counter-affidavit stating that the affected families of Indoor Village who are below the poverty line have been paid at the rate of Rs.8,000/- each under the rehabilitation scheme apart from the sanction of houses at the rate of Rs.15,000/- each. It is further explained as under:

> *"Out of the above(30) writ petitioners (8) of them have already been availed the R&R benefits (9) Awardees are not-residing, (11) Persons are no way concerned with Indoor village, (1) awardee at Sl.No.19 of the affidavit died three years ago and Sl.No.20 is repeated twice i.e. (Sl.No.17).*

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A B S T R A C T

1. Residing Awardees 8
2. Not Residing Awardees 9
3. Awardee died three years ago.. 1
4. Awardee shown double 1
5. Non-Awardees & strangers
to the village. 11

Total: 30

As per the details of benefits under Re-settlement and Rehabilitation already availed by (8) writ petitioners Nos. 4, 6, 9, 10, 12, 13, 17 and 24., and on local enquiry it is revealed that (9) Petitioners (Awardees) Sl.Nos.1, 2, 5, 7, 8, 15, 21, 29 & 30, are not residing in the village Indoor and Petitioner No.19 has already died even prior (3) years to the filing of this Writ Petition and therefore these Writ Proceedings stands abated. Petitioner No.20 is repeated twice i.e. (Sl.No.17) and (11) out of 30 Writ Petitioners Nos. 3, 11, 14, 16, 18, 22, 23, 25, 26, 27 and 28 are Non-Awardees and they are not the residents of Indoor (v) and they are being strangers to this village who have filed this Writ Petition claiming ex-gratia amount is false and baseless and liable for rejection in the interest of Justice."

The contention of the petitioners that in all the neighbouring Villages ex-gratia cash grants were paid in lieu of rehabilitation has been specifically denied and it is stated that in view of the re-settlement and rehabilitation programme already taken up and completed in Indoor village, the question of granting ex-gratia cash grants does not arise.

From the above counter averments it is clear that the rehabilitation benefits were already extended to the displaced families of Indoor Village. Nothing has been placed before this Court contradicting the said version of the respondents.

Hence, this writ petition which is devoid of any merit is hereby dismissed. No costs.

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G. ROHINI,J.

Dt. 06-02-2007
KLP